

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)
Against:)

PETER PRESSMAN, M.D.)
)
Physician's and Surgeon's)
Certificate No. A 77300)
)
Respondent)

Case No. 02-2012-226988


DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on August 21, 2014.

IT IS SO ORDERED August 14, 2014.

MEDICAL BOARD OF CALIFORNIA

By: 
Kimberly Kirchmeyer
Executive Director

1 KAMALA D. HARRIS
Attorney General of California
2 THOMAS S. LAZAR
Supervising Deputy Attorney General
3 JANNSEN TAN
Deputy Attorney General
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8 *Attorneys for Complainant*

9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

14 **PETER PRESSMAN, M.D.**
2080 Child Street
15 Jacksonville, FL 32214

16 Physician's and Surgeon's Certificate No. A 77300

17 Respondent.

Case No. 02-2012-226988

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY
ORDER**

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
23 of California. Linda K. Whitney, former Executive Director of the Medical Board, brought this
24 action solely in her then official capacity and is represented in this matter by Kamala D. Harris,
25 Attorney General of the State of California, by Jannsen Tan, Deputy Attorney General.

26 2. Peter Pressman, M.D. (Respondent) is represented in this proceeding by attorney
27 Nina J. Ginsberg, Esq., whose address is DiMuro Ginsberg PC, 1101 King Street, Suite 610,
28 Alexandria, Virginia 22314.

3. On or about December 7, 2001, the Medical Board of California issued Physician's and Surgeon's Certificate No. A 77300 to Peter Pressman, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges and allegations in Accusation No. 02-2012-226988, expired on January 31, 2013, and has not been renewed.

4. On May 17, 2013, the Medical Board of California notified Respondent that his Physician's and Surgeon's Certificate No. A 77300 has been, and remains, automatically suspended pursuant to Business and Professions Code section 2236.1. The suspension is based on Respondent's conviction and subsequent incarceration in a criminal proceeding entitled *United States of America v. Peter Pressman* in the United States District Court for the Eastern District, Alexandria, Virginia, Case Number 1:12-CR-390, in which Respondent pled guilty to a two count criminal information for obtaining controlled substances by fraud, and aggravated identity theft.

JURISDICTION

5. On May 29, 2013, Accusation No. 02-2012-226988 was filed against Respondent before the Medical Board of California (Board), Department of Consumer Affairs. On May 29, 2013, a true and correct copy of the Accusation No. 02-2012-226988, along with true and correct copies of all other statutorily required documents, were properly served on Respondent by certified mail, at his address of record on file with the Board which was and is 2080 Child Street Jacksonville, FL 32214. On July 23, 2013, Respondent filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 02-2012-226988 is attached hereto as Exhibit "A," and incorporated by reference as if fully set forth herein.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and fully understands the charges and allegations in Accusation No. 02-2012-226988. Respondent also has carefully read, fully discussed with counsel, and fully understands the effects of this Stipulated Surrender of Certificate and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, the right to a hearing on the charges and allegations in Accusation No. 02-2012-226988; the right to confront and cross-

1 examine the witnesses against him; the right to present evidence and to testify on his own behalf;
2 the right to the issuance of subpoenas to compel the attendance of witnesses and the production of
3 documents; the right to reconsideration and court review of an adverse decision; and all other
4 rights accorded by the California Administrative Procedure Act and other applicable laws.

5 8. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently
6 waives and gives up each and every right set forth hereby above.

7 CULPABILITY

8 9. Respondent admits the complete truth and accuracy of each and every charge and
9 allegation in Accusation No. 02-2012-226988, agrees that cause exists for discipline and hereby
10 surrenders his Physician's and Surgeon's Certificate No. A 77300 for the Board's formal
11 acceptance.

12 10. Respondent understands that by signing this stipulation he enables the Executive
13 Director of the Medical Board to issue an order accepting the surrender of his Physician's and
14 Surgeon's Certificate No. A 77300 on behalf of the Board, without further notice or opportunity
15 to be heard.

16 CONTINGENCY

17 11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent
18 part, that the Medical Board "shall delegate to its executive director the authority to adopt a
19 stipulation for surrender of a license."

20 12. This Stipulated Surrender of Certificate and Disciplinary Order shall be subject to
21 approval of the Executive Director on behalf of the Medical Board. The parties agree that this
22 Stipulated Surrender of Certificate and Disciplinary Order shall be submitted to the Executive
23 Director for her consideration in the above-entitled matter and, further, that the Executive
24 Director shall have a reasonable period of time in which to consider and act on this Stipulated
25 Surrender of Certificate and Disciplinary Order after receiving it. By signing this stipulation,
26 Respondent fully understands and agrees that he may not withdraw his agreement or seek to
27 rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board,
28 considers and acts upon it.

13. The parties agree that this Stipulated Surrender of Certificate and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of Certificate and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Executive Director on behalf of the Board does not, in her discretion, approve and adopt this Stipulated Surrender of Certificate and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent further agrees that should this Stipulated Surrender of Certificate and Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent will assert no claim that the Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of Certificate and Disciplinary Order or of any matter or matters related hereto.

ADDITIONAL PROVISIONS

14. This Stipulated Surrender of Certificate and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreements of the parties in the above-entitled matter.

15. The parties agree that copies of this Stipulated Surrender of Certificate and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies and signatures shall have the same force and effect as originals.

///

///

16. In consideration of the foregoing admissions and stipulations, the parties agree the Executive Director of the Medical Board may, without further notice to or opportunity to be heard by Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 77300, issued to Respondent Peter Pressman, M.D., is surrendered and accepted by the Medical Board of California.

1. The surrender of Respondent's Physician's and Surgeon's Certificate No. A 77300, and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Medical Board of California.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 02-2012-226988 shall be deemed to be true, correct and fully admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 02-2012-226988 shall be deemed to be true, correct, and fully admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

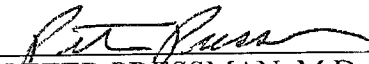
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1 ACCEPTANCE


2 I have carefully read this Stipulated Surrender of Certificate and Disciplinary Order. I
3 understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate
4 No. A 77300. I enter into this Stipulated Surrender of Certificate and Disciplinary Order
5 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
6 Medical Board of California.

7
8 DATED: May 7, 2014


PETER PRESSMAN, M.D.
Respondent

11 I have read and fully discussed with Respondent Peter Pressman, M.D. the terms and
12 conditions and other matters contained in this Stipulated Surrender of Certificate and Disciplinary
13 Order. I approve its form and content.

14 DATED: May 12, 2014


NINA J. GINSBERG, ESQ.
Attorney for Respondent

16 ENDORSEMENT

17
18 The foregoing Stipulated Surrender of Certificate and Disciplinary Order is hereby
19 respectfully submitted for consideration by the Medical Board of California of the Department of
20 Consumer Affairs.

21
22 DATED: 5/14/2014

Respectfully submitted,

23 KAMALA D. HARRIS
Attorney General of California
24 THOMAS S. LAZAR
Supervising Deputy Attorney General


25
26 
JANNSEN TAN
27 Deputy Attorney General
Attorneys for Complainant
28

Exhibit A

Accusation No. 02-2012-226988

1 KAMALA D. HARRIS
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2 THOMAS S. LAZAR
Supervising Deputy Attorney General
3 JANNSEN L. TAN
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7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO May 29, 2013
BY Christina Smith ANALYST

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 02-2012-226988

12 **PETER PRESSMAN, M.D.**
13 2080 Child Street
Jacksonville, FL 32214

A C C U S A T I O N

14
15 Physician's and Surgeon's License No. A
77300

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Director of the Medical Board of California, Department of Consumer Affairs.
22 2. On or about December 7, 2001, the Medical Board of California issued Physician's
23 and Surgeon's License Number A 77300 to Peter Pressman, M.D. (Respondent). The Physician's
24 and Surgeon's License expired on January 31, 2013, and has not been renewed.

25 ///

26 ///

27 ///

28 ///

JURISDICTION

3. This Accusation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

5. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

6. Section 2234 of the Code states:

"The [B]oard shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter [Chapter 5, the Medical Practice Act].

"...

"(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon.

"..."

7. Unprofessional conduct under California Business and Professions Code section 2234 is conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

1 8. Section 2236 of the Code states:

2 A(a) The conviction of any offense substantially related to the qualifications, functions, or
3 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this
4 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive
5 evidence only of the fact that the conviction occurred.

6 A(b) The district attorney, city attorney, or other prosecuting agency shall notify the
7 Division¹ of Medical Quality of the pendency of an action against a licensee charging a felony or
8 misdemeanor immediately upon obtaining information that the defendant is a licensee. The
9 notice shall identify the licensee and describe the crimes charged and the facts alleged. The
10 prosecuting agency shall also notify the clerk of the court in which the action is pending that the
11 defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds
12 a license as a physician and surgeon.

13 A(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48
14 hours after the conviction, transmit a certified copy of the record of conviction to the board. The
15 division may inquire into the circumstances surrounding the commission of a crime in order to fix
16 the degree of discipline or to determine if the conviction is of an offense substantially related to
17 the qualifications, functions, or duties of a physician and surgeon.

18 A(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
19 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
20 shall be conclusive evidence of the fact that the conviction occurred. @

21 9. Section 2237 of the Code states:

22 A(a) The conviction of a charge of violating any federal statutes or regulations or any
23 statute or regulation of this state, regulating dangerous drugs or controlled substances, constitutes
24 unprofessional conduct. The record of the conviction is conclusive evidence of such

25 _____
26 ¹ California Business and Professions Code section 2002, as amended and effective January 1, 2008,
27 provides that, unless otherwise expressly provided, the term "[B]oard" as used in the Medical Practice Act refers to
28 the Medical Board of California. References to the "Division of Medical Quality" and "Division of Licensing" set
forth in the Medical Practice Act are also referable to the Medical Board of California.

1 unprofessional conduct. A plea or verdict of guilty or a conviction following a plea of nolo
2 contendere is deemed to be a conviction within the meaning of this section.

3 A(b) Discipline may be ordered in accordance with Section 2227 or the Division of
4 Licensing may order the denial of the license when the time for appeal has elapsed, or the
5 judgment of conviction has been affirmed on appeal, or when an order granting probation is made
6 suspending the imposition of sentence, irrespective of a subsequent order under the provisions of
7 Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and
8 to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,
9 complaint, information, or indictment.®

10 10. Section 2238 of the Code states:

11 AA violation of any federal statute or federal regulation or any of the statutes or regulations
12 of this state regulating dangerous drugs or controlled substances constitutes unprofessional
13 conduct.®

14 11. Health and Safety Code section 11170 provides that, "No person shall prescribe,
15 administer, or furnish a controlled substance for himself."

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(Conviction of Crimes Substantially Related to the Qualifications, Functions for**
18 **Duties of a Physician and Surgeon)**

19 12. Respondent is subject to discipline under sections 2227 and 2234, as defined by
20 sections 490 and 2236, of the Code, in that he has been convicted of crimes substantially related
21 to the qualifications, functions or duties of a physician and surgeon as more particularly alleged
22 hereinafter:

23 13. On or about September 13, 2012, in a criminal proceeding entitled *United States of*
24 *America v. Peter Pressman* in the United States District Court for the Eastern District, Alexandria
25 Virginia, Case Number 1:12-CR-390, Respondent pled guilty to a two count criminal information
26 charging Respondent with obtaining controlled substances by fraud, in violation of Title 21,
27 United States Code, Section 843(a), and aggravated identity theft, in violation of Title 18, United
28 States Code section 1028A. Respondent was sentenced to two (2) years imprisonment as to count

1, to run consecutive to one (1) day imprisonment as to count 2, for a total sentence of 2 years and 1 day to be served in a federal prison. The Respondent was also ordered to complete a residential drug treatment program and remain drug free and other terms and conditions.

14. The circumstances of Respondent's conviction are as follows:

A. The Federal Employees Health Benefits Program (FEHBP) is a federally funded healthcare benefits program funded by the Federal government for the benefit of government employees, retirees, and their dependents. The FEHBP is administered by the Office of Personnel Management.

B. From in or about January, 2011, through in or about November, 2011, Respondent was an active duty U.S. Navy Doctor stationed on a detail to the Pentagon, located in Arlington, Virginia, in the Eastern District of Virginia.

C. From in or about January, 2011, through in or about November, 2011, Respondent engaged in a scheme to call in fraudulent prescriptions to local pharmacies using the names and identities of patients, co-workers, and others to obtain controlled substances for his own use. The fraudulent prescriptions led to the submission of materially false claims to BlueCross BlueShield via their pharmacy benefit manager, CVS/Caremark, in order to receive medications which Respondent never provided to various beneficiaries of the FEHBP and other health care benefit programs. Respondent called in and picked up each of the prescriptions at the CVS Pharmacy located in the Pentagon in Arlington, Virginia, in the Eastern District of Virginia.

D. Respondent wrote the following prescriptions using the identity of victim G.H., which Respondent picked up himself claiming to act on behalf of G.H. when, in truth and fact, he was not:

- On August 11, 2011, one prescription for 300 tablets of hydrocodone/IBU, a Schedule III narcotic; and one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III narcotic.

- On September 7, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule III narcotic.

1 E. Respondent wrote the following prescriptions using the identity of victim J.D., which
2 Respondent picked up himself claiming to act on behalf of J.D. when, in truth and fact, he was
3 not:

4 • On January 4, 2011, one prescription for 30 tablets of propranolol; one prescription
5 for 30 tablets of clonazepam, a Schedule IV tranquilizer; and one prescription for 100 tablets of
6 hydrocodone/IBU, a Schedule III narcotic.

7 • On January 19, 2011, one prescription for hydrocodone-homatropine syrup, a
8 Schedule III narcotic.

9 • On January 25, 2011, one prescription for 100 tablets of hydrocodone/IBU, a
10 Schedule III narcotic.

11 • On January 31, 2011, one prescription for 100 tablets of hydrocodone/IBU, a
12 Schedule III narcotic.

13 • On February 2, 2011, one prescription for 100 tablets of hydrocodone/IBU, a
14 Schedule III narcotic.

15 • On March 1, 2011, one prescription for 90 tablets of hydrocodone/acetaminophen;
16 and one prescription for 10 tablets of hydrocodone/acetaminophen, both Schedule III narcotics.

17 • On March 24, 2011, one prescription for 100 tablets of hydrocodone/acetaminophen,
18 a Schedule III narcotic; one prescription for 100 tablets of hydrocodone/IBU, a Schedule III
19 narcotic; and one prescription for 30 tablets of cephalexin.

20 • On April 14, 2011, one prescription for 100 tablets of hydrocodone/IBU, a Schedule
21 III narcotic.

22 • On May 2, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule III
23 narcotic.

24 • On June 17, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
25 III narcotic.

26 • On July 8, 2011, one prescription for hydrocodone-homatropine syrup, a Schedule III
27 narcotic.

1 • On September 6, 2011, one prescription for 200 tablets of hydrocodone/IBU, a
2 Schedule III narcotic.

3 F. Respondent wrote the following prescriptions using the identity of victim H.B., which
4 Respondent picked up himself claiming to act on behalf of H.B. when, in truth and fact he was
5 not:

6 • On April 22, 2011, one prescription for 100 tablets of hydrocodone-acetaminophen, a
7 Schedule III narcotic; and one prescription for 10 tablets of levaquin.

8 • On May 23, 2011, one prescription for 100 tablets of hydrocodone-acetaminophen, a
9 Schedule III narcotic; and one prescription for 200 tablets of hydrocodone, a Schedule III
10 narcotic.

11 • On July 22, 2011, one prescription for 200 tablets of hydrocodone, a Schedule III
12 narcotic; and one prescription for 100 tablets hydrocodone-acetaminophen, a Schedule III
13 narcotic.

14 • On September 22, 2011, one prescription for 100 tablets of hydrocodone-
15 acetaminophen, a Schedule III narcotic; one prescription for 300 tablets of hydrocodone, a
16 Schedule III narcotic; and one prescription for 28 tablets of cephalexin.

17 G. Respondent wrote the following prescriptions using the identity of victim E.C., which
18 Respondent picked up himself claiming to act on behalf of E.C. when, in truth and fact, he was
19 not:

20 • On April 18, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
21 III narcotic; and one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III
22 narcotic.

23 • On May 4, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule III
24 narcotic.

25 • On June 15, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
26 III narcotic; and one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III
27 narcotic.

1 • On July 1, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule III
2 narcotic.

3 • On August 31, 2011, one prescription for 300 tablets of hydrocodone/IBU, a
4 Schedule III narcotic.

5 • One September 14, 2011, one prescription for 100 tablets of hydrocodone/
6 acetaminophen, a Schedule III narcotic; and 4 tablets of Cialis.

7 H. Respondent wrote the following prescriptions using the identity of victim P.B., which
8 Respondent picked up himself claiming to act on behalf of P.B. when, in truth and fact, he was
9 not:

10 • On February 22, 2011, one prescription for 100 tablets of hydrocodone/IBU, a
11 Schedule III narcotic; and one prescription for 12 tablets of Cialis.

12 • On March 10, 2011, one prescription for 100 tablets of hydrocodone/acetaminophen,
13 a Schedule III narcotic.

14 • On March 28, 2011, one prescription for 100 tablets of hydrocodone/IBU, a Schedule
15 III narcotic; and one prescription for 12 tablets of Cialis.

16 • On May 18, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
17 III narcotic.

18 • On June 7, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule III
19 narcotic.

20 • On July 8, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule III
21 narcotic; one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III narcotic;
22 and one prescription for 6 tablets of Cialis.

23 • On August 29, 2011, one prescription for 300 tablets of hydrocodone/IBU, a
24 Schedule III narcotic.

25 I. Respondent wrote the following prescriptions using the identity of victim B.O., which
26 Respondent picked up himself claiming to act on behalf of B.O. when, in truth and fact, he was
27 not:

- 1 • On February 4, 2011, one prescription for 80 tablets of hydrocodone/IBU, a Schedule
2 III narcotic.
- 3 • On February 9, 2011, one prescription for 60 tablets of hydrocodone/IBU, a Schedule
4 III narcotic.
- 5 • On February 28, 2011, one prescription for 100 tablets of hydrocodone/IBU, a
6 Schedule III narcotic.
- 7 • On April 7, 2011, one prescription for 100 tablets of hydrocodone/IBU, a Schedule III
8 narcotic; and one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III
9 narcotic.
- 10 • On May 31, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
11 III narcotic; one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III
12 narcotic; and one prescription for Proventil HFA.
- 13 • On June 20, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
14 III narcotic; one prescription for 100 tablets of hydrocodone/acetaminophen, a Schedule III
15 narcotic; and one prescription for 10 tablets of Viagra.
- 16 • On July 22, 2011, one prescription for 200 tablets of hydrocodone/IBU, a Schedule
17 III narcotic.
- 18 • On October 11, 2011, one prescription for 200 tablets of hydrocodone/IBU, a
19 Schedule III narcotic.

20 J. Respondent wrote the following prescriptions using the identity of victim S.L., which
21 Respondent picked up himself claiming to act on behalf of S.L. when, in truth and fact, he was
22 not:

- 23 • On February 16, 2011, one prescription for 100 tablets of hydrocodone/IBU, a
24 Schedule III narcotic.
- 25 • On March 4, 2011, one prescription for 100 tablets of hydrocodone/IBU, a Schedule
26 III narcotic.

27 K. Between in or about March, 2011, and November, 2011, Respondent wrote four
28 prescriptions for hydrocodone totaling approximately 600 pills using the identity of victim L.C.,

1 which Respondent picked up himself claiming to act on behalf of L.C. when, in truth and fact, he
2 was not:

3 L. These fraudulent claims resulted in losses to the FEHBP of at least \$1,622.70, and
4 losses to Tricare of at least \$1,176.59.

5 M. In or about February, 2012, and April, 2012, in the District of Maine, Respondent
6 prescribed over 585 narcotics tablets and 480 units of liquid narcotics using the name, date of
7 birth, and address of victim G.O., which Respondent picked up himself claiming to act on behalf
8 of G.O. when, in truth and fact, he was not:

9 N. Between in or about January, 2010, and July, 2012, in the District of Columbia,
10 Respondent prescribed over 2100 narcotics tablets and over 900 units of liquid narcotics using the
11 names, dates of birth, and addresses of victims A.E., A.P., G.O., and C.K. Respondent picked up
12 these prescriptions himself claiming to act on behalf of these individuals when, in truth and fact,
13 he was not:

14 O. Between in or about January, 2010, and July, 2012, in the District of Columbia,
15 Respondent prescribed 450 narcotics pills using names, dates of birth, and addresses of fictional
16 and/or deceased individuals, including "Norma Daniels" and "Harry Slikerman." Respondent
17 picked up these pills himself claiming to act on behalf of these individuals when, in truth and fact,
18 he was not, and when he was aware that such individuals were fictional and/or deceased.

19 P. Between in or about June, 2012, and July, 2012, in Jacksonville, Florida, Respondent
20 prescribed over 900 narcotics tablets using names, dates of birth, and addresses of fictional and/or
21 deceased individuals, including "Norma Daniels," "Eleanor Sherman," "Harry Slikerman," and
22 "Harry Daniels." Respondent picked these up himself claiming to act on behalf of these
23 individuals when, in truth and fact, he was not, and when he was aware that such individuals were
24 fictional and/or deceased.

25 **SECOND CAUSE FOR DISCIPLINE**
26 **(Dishonesty or Corruption)**
27
28

1 15. Respondent is further subject to discipline under sections 2227 and 2234, as
2 defined by section 2234, subdivision (e), of the Code, in that he has committed an act or acts of
3 dishonesty or corruption substantially related to the qualifications, functions or duties of a
4 physician and surgeon as more particularly alleged hereinafter: Paragraphs 12, 13 and 14, above,
5 are hereby incorporated by reference and realleged as if fully set forth herein.

6 **THIRD CAUSE FOR DISCIPLINE**
7 **(General Unprofessional Conduct)**

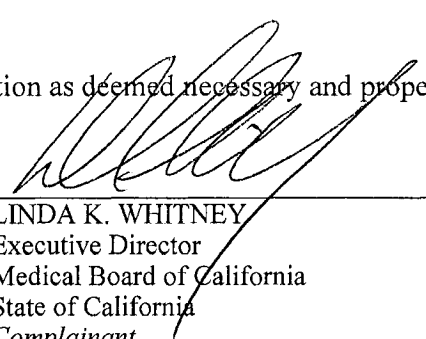
8 16. Respondent is further subject to discipline under sections 2227 and 2234, as defined
9 by section 2234 of the Code, in that he has engaged in conduct which breaches the rules or ethical
10 code of the medical profession, or conduct which is unbecoming a member in good standing of
11 the medical profession, and which demonstrates an unfitness to practice medicine, as more
12 particularly alleged hereinafter: Paragraphs 12, 13, 14 and 15, above, are hereby incorporated by
13 reference and realleged as if fully set forth herein.

14 **PRAYER**

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Medical Board of California issue a decision:

- 17 1. Revoking or suspending Physician's and Surgeon's License Number A 77300, issued
18 to Peter Pressman, M.D.;
- 19 2. Revoking, suspending or denying approval of Peter Pressman, M.D.'s authority to
20 supervise physician's assistants, pursuant to section 3527 of the Code;
- 21 3. Ordering Peter Pressman, M.D., to pay the costs of probation monitoring, if placed on
22 probation; and;
- 23 4. Taking such other and further action as deemed necessary and proper.

24 DATED: May 29, 2013


LINDA K. WHITNEY
Executive Director
Medical Board of California
State of California
Complainant

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